

PATENT

Serial No. 10/023,110

Amendment in Reply to Final Office Action of February 20, 2007
and the Advisory Action of May 2, 2007

REMARKS

This Amendment is being filed in response to the Final Office Action mailed February 20, 2007, and the Advisory Action mailed on May 2, 2007 which have been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Final Office Action, claims 1-5, 7-8 and 11-16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,025,837 (Matthews III) view of U.S. Patent No. 5,987,509 (Portuesi) U.S. Patent No. 7,024,679 (Sei). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews, III in view of Portuesi, Sei and U.S. Patent No. 5,635,989 (Rothmuller). Further, claim 9 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews III in view of Portuesi, Sei and U.S. Patent No. 6,367,080 (Enomoto). It is respectfully submitted that claims 1-9 and 11-16 are allowable over Matthews III, Portuesi, Sei Rothmuller and Enomoto for at least the following reasons.

Matthews III is directed to an electronic program guide (EPG) with hyperlinks to target resources. When a viewer activates a hyperlink within the EPG, a user interface unit launches a browser to activate the target resource specified in the hyperlink, such as hyperlinks 58 shown in FIG 2.

As correctly noted by the Examiner on page 3 of the Office Action, Matthews III does not teach or suggest "allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material". Portuesi is cited in an attempt to remedy this deficiency in Matthews III.

Portuesi is directed to a system for displaying an active uniform network resource locator (URL) during playback of a media file. As recited on column 5, lines 32-34, a URL track 20 provides information about URLs to display and make active during certain periods of time with respect to images 24 in image track 18.

As correctly noted by the Examiner on page 4 of the Office Action, Matthews III and Portuesi do not teach or suggest "causing the multimedia material to be cached with locks; and allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material that unlocks at least one of

the locks," as recited in independent claim 1, and similarly recited in independent claim 12. Sei is cited in an attempt to remedy this deficiency Matthews III and Portuesi.

Sei is directed to a program delivery system 100 shown in FIG 1 that includes a subscriber management system 124. As recited on column 3, lines 50-54, the subscriber management system 124 contains account information for all users such as customer names, addresses, set top box addresses, credit history, subscription status, and video on demand (VOD) status. This information is used to enable program playback on set top boxes 120-1 to 120-n of each user.

Assuming, arguendo, that the Sei playback enablement is equivalent to "causing the multimedia material to be cached with locks; and allowing access to the multimedia material in response to a signal ...by unlocking at least one of the locks," as recited in independent claim 1, and similarly recited in independent claim 12, it is respectfully submitted that such playback or so-called 'unlocking' in Sei is based on or in response to a user designating or requesting a program, as shown in box 816 of FIG 8A. In response to such user request, the Sei controller enable playback,

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as shown in box 816 of FIG 8A.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 12 which, amongst other patentable features, requires (illustrative emphasis provided) :

allowing access to the multimedia material based on the scheduled broadcast time by
unlocking at least one of the locks.

There is simply no teaching or suggestion in Matthews III, Portuesi, and Sei, alone or in combination, allowing access to the material based on the scheduled broadcast time, as recited in independent claims 1 and 12. Rather, Portuesi merely teaches to display and activate a URL during certain periods and Sei merely teaches that the controller 612 of the set top box 600 enables playback upon a request from an authorized user. That is, any unlocking in Sei is not based on the scheduled broadcast time of the program.

Further, any unlocking in Sei allows playback of a program, rather than providing multimedia material related to the scheduled material. That is, if there is no unlocking, than no program is played in Sei. By contrast, regarding the present invention as

recited in independent claims 1 and 12, if there is no unlocking then multimedia material related to the scheduled material is not accessible, while the scheduled material itself is accessible.

It is respectfully submitted that Matthews III, Portuesi, Sei, and combinations thereof, do not teach or suggest allowing access to multimedia material, which is related to scheduled material and is cached with locks, based on the scheduled broadcast time by unlocking at least one of the locks, as recited in independent claims 1 and 12. Rothmuller and Enomoto are cited to allegedly show other features and do not remedy the deficiencies in Matthews III, Portuesi and Sei.

Accordingly, it is respectfully submitted that independent claims 1 and 12 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-9, 11 and 13-16 should also be allowed at least based on their dependence from amended independent claims 1 and 12.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

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presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded. And in particular, no Official Notices are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101